

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

## ALSTON & BIRD LLP

One Atlantic Center  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3424  
404-881-7000  
Fax 404-881-7777

### TELECOPY

PLEASE DELIVER AS SOON AS POSSIBLE

Date:

May 12, 2006

Recipient:

Mail Stop 16

Company:

United States Patent and Trademark  
Office

Fax Number:

(571) 273-6500

Voice Number:

Sender:

Andrew T. Meunier

Message:

\* \* \* \* OFFICIAL \* \* \* \*

In re: Gellissen, et al.

Confirmation No.: 5408

Appl. No.: 10/042,059

Group Art Unit: 1636

Filed: October 25, 2001

For: NUCLEIC ACID MOLECULE, COMPRISING A NUCLEIC ACID CODING FOR  
A POLYPEPTIDE WITH CHORISMATE MUTASE ACTIVITY

Number of Pages: (including cover page) 2

IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT.

USER CODE: MEUN A	REQUESTED BY: Elaine Kelly
CLIENT/MATTER: 038827.307263q	OPERATOR: 07/21/2006 RLEMONS 00000004 10042859

01 FC:2581

788.88 OP

ATL01/12221561v1

PAGE 1/2 \* RCVD AT 5/12/2006 2:13:21 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-20 \* DNIS:2736500 \* CSID:4048817777 \* DURATION(mm-ss):00-58

BEST AVAILABLE COPY

Attorney's Docket No. 038827.307263

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gellissen, et al. Confirmation No.: 5408  
App'l. No.: 10/042,059 Group Art Unit: 1636 US PATENT AND TRADEMARK  
Filed: October 25, 2001 Examiner: David A. Lambertson  
For: NUCLEIC ACID MOLECULE, COMPRISING A NUCLEIC ACID CODING FOR  
A POLYPEPTIDE WITH CHORISMATE MUTASE ACTIVITY

MAIL STOP 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND  
(37 C.F.R. 1.28(a))

Sir:

SUBMISSION OF STATEMENT

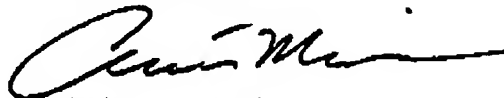
- ☒ Applicant qualifies for Small Entity Status.  
☐ A Statement Claiming Small Entity Status was filed in this application on

REFUND REQUEST AND MANNER OF REFUND

This request for refund is made within three months of the date the issue fee and publication fees were paid in this application on February 14, 2006, in the amount of \$1,700.00 (large entity). Please refund the sum of \$700.00 for the issue fee for a small entity.

Please make refund by crediting ALSTON & BIRD LLP Deposit Account No. 16-0605.

Respectfully submitted,



Andrew T. Meunier  
Registration No. 40,726

CUSTOMER NO. 00826  
ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Atlanta Office (404) 831-7000  
Fax Atlanta Office (404) 831-7777

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (571) 273-6500 on the date shown below.

  
Elaine Kelly

5-12-06  
Date